

PUBLIC SERVICE COMMISSION OF WISCONSIN

Minutes and Informal Instructions of the Open Meeting of
Thursday, February 12, 2015

The Public Service Commission of Wisconsin (Commission) met as noticed. Present were Chairperson Montgomery, Commissioner Callisto and Commissioner Nowak.

Minutes

The Commission approved the minutes of the open meeting of Friday, January 30, 2015.

1140-CG-111 – Application of City Gas Company, as a Gas Public Utility, for Authority to Provide Natural Gas Service in Portions of the Town of Aniwa, Shawano County, Wisconsin

The Commission approved the Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

6650-CG-245 – Application of Wisconsin Gas LLC, as a Gas Public Utility, for Authority to Install Natural Gas Distribution Facilities in the Town of Sheridan, Dunn County, Wisconsin

The Commission approved the Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

6725-RW-161 – Tolls to be Charged for the Wisconsin Valley Improvement Company for the Six Month Period Ending December 31, 2014

The Commission approved the Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

40-WR-101 – Application of Albany Municipal Water and Sewer Utility, Green County, Wisconsin, for Authority to Increase Water Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

1880-WR-104 – Application of City of Evansville Water and Light, Rock County, Wisconsin, for Authority to Increase Water Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

3560-TE-101 – Application of Menasha Electric and Water Utilities, Operating as an Electric Utility, Winnebago County, Wisconsin, for Tariff Changes Related to Deferred Payment Agreements

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

3560-TW-100 – Application of Menasha Electric and Water Utilities, Operating as a Water Utility, Winnebago County, Wisconsin, for Tariff Changes Related to Deferred Payment Agreements

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

4360-TE-100 – Application of Oconto Falls Water and Light Commission, Oconto County, Wisconsin, for Tariff Changes Related to Deferred Payment Agreements

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

4410-WR-105 – Application of Onalaska Municipal Water Utility, La Crosse County, Wisconsin, for Authority to Increase Water Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

4450-WR-103 – Application of Orfordville Municipal Water Utility, Rock County, Wisconsin, for Authority to Increase Water Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

5810-TE-100 – Application of Sun Prairie Utilities, Dane County, Wisconsin, for Tariff Changes Related to Deferred Payment Agreements

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

1-AC-227 – Retention of Meters and Meter Reading Records

This item was laid over at the request of the Commission.

5-TK-115 – Tracking of Non-Docketed/Delegated Items for 2015

The Commission accepted the proposed addition to the list of Delegated Items for the approval of the annual gas supply plan filings for all Wisconsin natural gas utilities.

6680-AU-117 – Application for Approval of an Affiliated Interest Agreement Between Wisconsin Power and Light Company and Alliant Energy Corporate Services, Inc.

The Commission approved an affiliated interest agreement between Wisconsin Power and Light Company and Alliant Energy Corporate Services, Inc., with all conditions identified in the table on page 7 of the staff memorandum in this docket dated February 3, 2015.

The Commission directed the Gas and Energy Division to draft an order consistent with its decision.

5-CE-136 – Joint Application of Dairyland Power Cooperative, Northern States Power Company-Wisconsin, and Wisconsin Public Power, Inc., for Authority to Construct and Place in Service 345 kV Electric Transmission Lines and Electric Substation Facilities for the CapX Twin Cities-Rochester-La Crosse Project, Located in Buffalo, Trempealeau, and La Crosse Counties, Wisconsin

The Commission approved the petition to reopen the docket and accept comments for the limited purpose of accepting new evidence as it pertains only to the potential transmission line “swap” and denied the Town of Holland’s request to take additional evidence in this docket regarding the triple-circuit issue which will be addressed in docket 5-CE-142.

Commissioner Callisto abstained.

The Commission directed the Gas and Energy Division to draft an Order to Reopen and Request for Comment in this docket consistent with its decision.

5515-NC-100 – Application of SMMPA Wisconsin, LLC, for Authority to Become an Electric Utility

The Commission discussed this matter, determined that it was in the public interest to approve the application of SMMPA Wisconsin, LLC (SMMPA), for a Certificate of Authority to become a public utility pursuant to Wis. Stat. § 196.49(1)(am), and made the following additional determinations:

1. The untimely public comments that were received in this proceeding shall not be included in the record.

2. SMMPA's Certificate of Authority is conditioned upon the Commission's approval of the Badger-Coulee 345kV transmission project under review in docket 5-CE-142.
3. SMMPA's authorization in the Certificate of Authority is for the limited purpose of owning a passive interest in the Badger-Coulee project, should that project be approved by the Commission.
4. Wisconsin Stat. § 196.03 shall apply to SMMPA.
5. Wisconsin Stat. § 196.05 shall apply to SMMPA.
6. The Commission declined to determine at this time whether Wis. Stat. § 201.05 applies to SMMPA.
7. The Commission determined that Wis. Stat. § 196.52 shall apply to SMMPA and declined to pre-approve any affiliated interest agreements.
8. Wisconsin Stat. § 196.525 shall apply to SMMPA.
9. The Commission declined to limit the Commission's ability to seek information from SMMPA.
10. SMMPA shall not be required to maintain an office in Wisconsin, but shall make available to the Commission the information it indicated it would file under Wis. Stat. § 196.07, along with in-state revenue data.
11. Wisconsin Stat. § 196.49 and Wis. Admin. Code § PSC 112.05 shall apply to SMMPA.
12. The Commission declined to limit the Commission's ability to impose penalties under Wis. Stat. §§ 196.64, 196.65(1), 196.66, and 196.81.

The Commission directed the Gas and Energy Division to draft an order in this docket consistent with its discussion.

6680-CG-154 – Application of Wisconsin Power and Light Company, as a Gas Public Utility, for Authority to Construct Facilities and Provide Natural Gas Service in the Town and Village of Oakdale, Monroe County, Wisconsin

The Commission approved the updated September 30, 2014, request of Wisconsin Power and Light (WP&L) to revise the scope, route and cost of the project to construct facilities and provide

natural gas service in the Town and Village of Oakdale, Monroe County, Wisconsin, previously approved by the Commission. This approval is conditioned upon the sand mine customers making a contribution of \$3.1 million towards the project. This approval is further conditioned upon WP&L filing with the Commission for five years, by no later than April 1 of each year, a report that includes the number of new customers, by customer class, served by the project, the total volume of gas delivered to new customers by customer class, and the changes in gas use of WP&L's existing customers in the project area.

Commissioner Callisto dissented.

The Commission directed the Gas and Energy Division to draft an amended Certificate of Authority in this docket consistent with its discussion.

CLOSED SESSION – The Commission may recess the open meeting, go into closed session under Wis. Stat. § 19.85(1)(g) to discuss the litigation matters noted below with legal counsel, and reconvene the open meeting pursuant to Wis. Stat. § 19.85(2).

FERC Docket Nos. ER14-1242-000, ER14-1243-000, ER14-2860-000, ERC-2862-000 (Consolidated) and FERC Docket No. ER14-2952-000 – Midcontinent Independent System Operator, Inc.

Motion of Tilden Mining Company L.C. and Empire Iron Mining Partnership

Commissioner Callisto moved, pursuant to Wis. Stat. § 19.85(1)(g), that the Commission convene in closed session to discuss the litigation matters listed above. Commissioner Nowak seconded the motion. The motion was carried and the Commission went into closed session.

After a discussion in closed session, the Commission reconvened in open session.

During the discussion held in closed session, information was presented to the Commission regarding the above litigation matters. No motion was made with respect to these items.

The Commission adjourned the meeting at 9:57 a.m.

Sandra J. Paske
Secretary to the Commission

DL:00957101